

House Resolution 103 - Introduced

HOUSE RESOLUTION NO. 103

BY WILLS

1 A Resolution affirming the powers reserved to the
2 states under the Tenth Amendment to the United
3 States Constitution.

4 WHEREAS, the Tenth Amendment to the Constitution of
5 the United States reads as follows: "The powers not
6 delegated to the United States by the Constitution, nor
7 prohibited by it to the States, are reserved to the
8 States respectively, or to the people."; and

9 WHEREAS, the Tenth Amendment defines the total scope
10 of federal powers as being that specifically granted by
11 the United States Constitution and no more; and

12 WHEREAS, the scope of federal power defined by the
13 Tenth Amendment means that the federal government was
14 created by the states specifically to be an agent of
15 the states; and

16 WHEREAS, state authority has been eroded primarily
17 by federal assumption of powers reserved to the states,
18 interpretations of the Commerce Clause of the United
19 States Constitution that go beyond any reasonable
20 conception, threats of withholding, withdrawing, or
21 diverting federal funds, and failure by the states to
22 challenge federal intrusions; and

23 WHEREAS, currently, the states are demonstrably
24 treated as agents of the federal government; and

25 WHEREAS, numerous resolutions have been forwarded
26 to the federal government without any response or
27 result from the United States Congress or the federal
28 government; and

1 WHEREAS, many federal mandates are directly in
2 violation of the Tenth Amendment to the Constitution
3 of the United States; and

4 WHEREAS, the United States Supreme Court has ruled
5 that Congress may not commandeer the legislative and
6 regulatory processes of the states; and

7 WHEREAS, a number of proposals from previous
8 administrations and some now pending from the present
9 administration and from the United States Congress may
10 further violate the United States Constitution; NOW
11 THEREFORE,

12 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, That
13 the House of Representatives hereby claims sovereignty
14 under the Tenth Amendment to the Constitution of the
15 United States over all powers not otherwise enumerated
16 and granted to the federal government by the United
17 States Constitution; and

18 BE IT FURTHER RESOLVED, That the House of
19 Representatives demands the federal government
20 immediately cease and desist all mandates that are
21 beyond the scope of its constitutionally delegated
22 powers; and

23 BE IT FURTHER RESOLVED, That the House of
24 Representatives encourages each state to reaffirm its
25 sovereignty and serve notice to the federal government
26 to cease and desist all activity outside the scope of
27 its constitutional powers; and

28 BE IT FURTHER RESOLVED, That copies of this
29 resolution be sent to the President of the United
30 States, the President of the United States Senate, the

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1 Speaker of the United States House of Representatives,
2 the Speaker of the House and the President of the
3 Senate of each state's legislature, and the members of
4 Iowa's congressional delegation.